IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT

JODHPUR

O R D E R

Smt. Radhamani C.K. Vs. State of Rajasthan & Ors.

S.B.CIVIL WRIT PETITION NO.786/2006

DATE OF ORDER :: May 01, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.L.D.Khatri, for the petitioner.
Mr.B.L.Tiwari, Dy.G.A.

BY THE COURT:

By the instant writ petition under Article 226 of the Constitution of India, the petitioner has challenged the order Annexure-3 dt.14.12.2005 .

I have heard learned counsel for the parties.

By order dt. 20.2.2006, this Court, while issuing notice to the respondents, directed that the posting of the petitioner shall not be disturbed till next date of hearing and in pursuance of the interim order, the petitioner has been continuing at T.B.

Hospital, Jaisalmer for last more than a year. In my view, no useful purpose will be served in allowing the order impugned to stand after such a long time.

Keeping in view the fact that the petitioner has been continuing at the place from which she was said to be transferred for last more than a year, in my view, the order impugned Annexure-3 dt. 14.12.2003 deserves to be set aside.

In the result, the writ petition is allowed. Order impugned Annexure-3 dt.14.12.2003 is set aside. However, it will be open for the respondents to pass a fresh order, if service exigency so arises. Stay petition stands disposed of. There shall be no order as costs.

[H.R.PANWAR],J.

m.asif/-